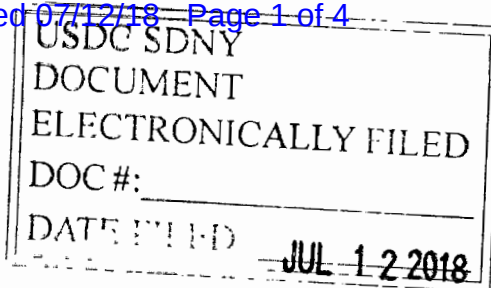


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



----- x  
UNITED STATES OF AMERICA

- v. -

MOSHE BENENFELD,  
a/k/a "Michael Benenfeld,"

Defendant.  
----- x

:  
: INDICTMENT

: 18 Cr. \_\_\_\_

18 CRIM 485

COUNT ONE  
(Bank Fraud)

The Grand Jury charges:

1. From in or about 2004 up to and including in or about 2016, in the Southern District of New York and elsewhere, MOSHE BENENFELD, a/k/a "Michael Benenfeld," the defendant, willfully and knowingly did execute, and attempt to execute, a scheme and artifice to defraud a financial institution, the deposits of which were then insured by the Federal Deposit Insurance Corporation, and to obtain moneys, funds, credits, assets, securities, and other property owned by, and under the custody and control of, such financial institution, by means of false and fraudulent pretenses, representations and promises, to wit, BENENFELD, while employed by a financial institution, engaged in unauthorized transactions with customer bank accounts.

(Title 18, United States Code, Sections 1344 and 2.)

JUDGE PRESKA

FORFEITURE ALLEGATION

6. As a result of committing the offenses alleged in Count One of this Indictment, MOSHE BENENFELD, a/k/a "Michael Benenfeld, the defendant, shall forfeit to the United States pursuant to 18 U.S.C. §982(a)(2)(A), any and all property constituting or derived from, proceeds obtained directly or indirectly, as a result of the commission of said offense, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offense that the defendant personally obtained.

SUBSTITUTE ASSET PROVISION

7. If any of the above described forfeitable property, as a result of any act or omission of the defendants:

(a) cannot be located upon the exercise of due diligence;

(b) has been transferred or sold to, or deposited with, a third person;

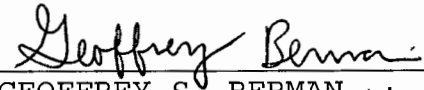
(c) has been placed beyond the jurisdiction of the Court;

(d) has been substantially diminished in value;  
or

(e) has been commingled with other property which cannot be subdivided without difficulty; it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p) and Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Section 982;  
Title 21, United States Code, Section 853; and  
Title 28, United States Code, Section 2461.)

  
FOREPERSON

  
GEOFFREY S. BERMAN <sup>th</sup>  
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- v. -

MOSHE BENENFELD,  
a/k/a "Michael Benenfeld,  
Defendant.

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INDICTMENT

18 Cr. \_\_\_\_\_

(18 U.S.C. §§ 1344 and 2.)

GEOFFREY S BERMAN  
United States Attorney.



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7/12/18

Filed Indictment  
case Assigned to Judge Preska

USMJ Netburn  
MB